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9. — *Speeches and Forensic Arguments*. By DANIEL WEBSTER. Vol. III. Boston: Tappan & Dennet. 1843. 8vo. pp. 563.

WE notice this volume only to commend the judgment and enterprise of the publisher for bringing together, in a neat and convenient form, these addresses and arguments, which the inquirer would otherwise be obliged to search for among a multitude of newspapers and other fugitive publications. We say nothing of the subjects discussed or the principles defended in these speeches; for they lie out of our province, and every variety of opinion respecting them exists in the community at large. But there can be no difference of sentiment in regard to the surpassing ability with which this distinguished statesman supports his cause. His speeches are models of argumentative power and commanding eloquence, and they will be studied in future centuries with an interest not inferior to that with which the scholar of the present day contemplates the precious remains of Greek and Roman debate. They are rich sources of instruction, also, and the student of letters, of history, of finance, and of the theory of government, is no less interested than the active politician of the present day, in the preservation of them in a form adapted for future perusal and reference.

10. — *Critical and Miscellaneous Essays*. By JAMES STEPHEN. Philadelphia: Carey & Hart. 1843. 12mo. pp. 413.

It has become the fashion of late for the contributors to the periodical journals to collect their papers and publish them in a more permanent form. Several valuable additions have thus been made, within a few years, to the substantial literature of the times. Macaulay's *Miscellanies* furnish as attractive reading as any volumes that have appeared for a long time. Their nervous eloquence and varied learning, their rich and all-embracing illustrations, and the judicial fairness of their criticisms, place them justly among the best literature of the day. The same remark may be made of Carlyle's writings,—by those who like them. The present volume contains a series of valuable papers, from the *Edinburgh Review*. They are written with learning and ability; the author is thoroughly informed on all the subjects he handles; his style is correct, but is evidently formed upon the model of Macaulay's. Imitation of a very good thing is always very bad. Mr. Stephen has materially lessened the effect of his writing by an obvious straining after

proportions that are too large for him. But we must award to him the praise of copious erudition, and justice in his literary judgments. He shows, also, great ability in the analysis of character, and the unfolding of motives. The article on Ignatius Loyola and his associates displays this quality very fully. The paper of the most general interest is that on the Port Royalists. The article on Whitfield and Froude will be read with pleasure in these days of Puseyism.

NOTE

TO ARTICLE IX. OF NUMBER 120.

Mr. William Sturgis, of Boston, has published in one of the daily prints of the city a communication in reply to our article on "The Mutiny of the Somers." At his request, we copy from his remarks the following statement.

"Speaking of the decision of the *Court Martial*, the Reviewer says, 'by their final report Commander Mackenzie was *honorably acquitted* of all the charges and specifications preferred against him by the Secretary of the Navy;' the words *honorably acquitted* are given in italics, to mark the importance which the reviewer attaches to them, and he subsequently twice speaks of the *honorable* acquittal of Commander Mackenzie. The decision of the Court Martial, as officially given, was something very different from an *honorable* acquittal. It is given in the 'Madisonian' of April 13, upon each of the charges and specifications that it 'is not proven,' and 'the Court do therefore acquit Commander Alexander S. Mackenzie of all the charges and specifications preferred against him, by the Secretary of the Navy.' It is added, 'As these charges involved the life of the accused, and as the finding is in his favor, he is entitled to the benefit of it, as in the analogous case of a verdict of not guilty before a civil court, and there is no power which can constitutionally deprive him of that benefit. The finding, therefore, is simply *confirmed*, and carried into effect without any expression of approbation on the part of the President; no such expression being necessary.' In colder language an acquittal could hardly be expressed."

The report of the sentence of the Court Martial was copied in perfectly good faith into the Review from the "Boston Atlas" of April 12th, 1843, the only newspaper that was within reach, which contained a full account of the proceedings at the trial. It appears, that the 'Madisonian' gives a different version of the sentence, and although this paper has no claim to be considered as the *official* organ of the government, no newspaper being recognised as such in this country, we are satisfied that its version is the correct one, and are quite willing, therefore, to place it before our readers.
